

SUMMARY OF STATE BURDEN REDUCTION RECOMMENDATIONS AND EPA COMMENTS

PROGRAM: OSWER and Waste-Related Reporting Requirements

Reporting Requirement	State Recommendation	States	Regional Comments	Office of Solid Waste & Emergency Response Comments
RCRA Info database	Eliminate requests for reports that can be generated by data available to EPA through database. (SC) Improve user interface; reduce number of corrective action codes. New EPA software (Jan '06) prevents state from uploading Waste Data System info into RCRA database: use resources to correct the problem	SC, MI, OR	R4: Region 4 concurs R5: Actions currently under way to correct this issue R10: Agrees. Database is in process of being updated.	Agrees w/SC and is working to address issue. Agrees w/other concerns re database. RCRAInfo is being updated and new version, which is expected to be implemented in first quarter of FY2008, will address concerns. HQ will ensure that data available in RCRAInfo be utilized for reporting rather than requesting the same data from regions and states directly.
Quarterly Reporting	--Brownfields grants: move deadline from 30 to 60 days of the end of the quarter (MD) --Brownfields and Superfund grants/cooperative agreements: change deadline from 30 to 60 days (MA) --Superfund site assessment reports: change from quarterly to semi-annually (FL) -- CERCLA, PA/SI quarterly grant reporting: change to semi-annual (KY) --NPL oversight activities report: reduce to annual (AL)	FL, KY, AL, MA, MD	R1: Regulatory requirement (awaiting new guidance) R3: Regulatory requirement R4: Changes in frequency are under review and defers to final guidance. KY and AL reports are required by regulation (no flexibility), but R4 willing to work with states to reduce burden as soon as regulatory revisions are promulgated (which are currently at OMB pending review).	--Regulatory requirement: changing deadline from 30 days to 60 days requires a grant rule change (MD, MA); grant rule states that progress reports should be no more than quarterly and no less than annually--40 CFR 31.40). --New rule, under OMB review, to be published in April 2007 proposes to relax reporting frequency. Terms will be based on the particular cooperative agreement negotiated between EPA, state or tribe. (FL, KY, AL)
Superfund and Brownfields Reports (number of jobs created)	Modify requirement to report on number of jobs created under Brownfields grants: states must rely on facilities for data and cannot verify	MD, VT	R1: Disagrees; believes this information is needed to demonstrate economic impact. R3: Understand info. not always available, but if it is, need it to show real impact for resources invested	While states may not have complete information concerning the number of jobs created, it is critical to provide results that are available to illustrate the ultimate success and impact of cleaning up and revitalizing Brownfields properties. Note that this is not a requirement: information is requested only if it is available.
Hazardous Waste Reporting	--Streamline input of data, to direct e-manifest system reporting (NE) --Since reporting is labor-intensive, review all reports and determine if consolidation of five major Hazardous Waste Program reporting burdens is possible (MA)	NE, MA, SD, KY	Regions: N/C	NE: EPA is awaiting Congressional action to authorize a new regulatory effort, called "E-Manifest," which would provide for electronic collection of some data now submitted during the Biennial Report. EPA is considering a further effort, in cooperation with the states and building upon E-Manifest, to reduce the burden of biennial

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	<p>-- State Hazardous Waste Program Authorization Updates: implement a streamlined authorization approval process (similar to processes used by Air Quality, NPDES and Solid Waste Programs)(SD)</p> <p>--Eliminate all reporting except for GPRA goals (KY)</p>			<p>reporting, improve its quality and make its publication timelier.</p> <p>MA: Because of statutory and regulatory requirements, EPA cannot consolidate the five major reports mentioned by MA: Biennial Report, Mid-year RCRA C Grant Report, End of Yr RCRA C Grant Report, RCRA Info, and Monthly Permit Summary into one report. As part of our maintenance and operation of the Biennial Report and RCRA Info, we will implement efficiencies as part of the on-going change management process.</p> <p>SD: In 2003, EPA streamlined the state authorization application documents. EPA also has a longstanding guidance document to help states which they can incorporate by reference. SD should contact Region 8 or OSW for assistance. For additional information, please visit the following website: http://www.epa.gov/epaoswer/hazwaste/state/policy/ibr1202.pdf</p> <p>KY: EPA's GPRA goals and associated reporting measures are necessary to meet our statutory goals of protecting human health and the environment. For example, the permitting goals are needed to ensure that controls are in place for proper management of hazardous waste. Prevention is preferable to mismanaged sites that lead to later cleanups at the sites.</p>
Hazardous Waste End-of-Year Reporting	Change from printed report to electronic	SD	R8: no comment	<p>Region 8 and the state have come to agreement on preparing a joint end-of-year (EOY) report beginning next PPA cycle (2008-2012). EOY drafts are currently exchanged electronically between EPA and the state with the exception of the final report which requires signatures. Hard copies of this report and signatures are then</p>

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Proposed reporting under draft Guidelines for Public Record Provision of Energy Policy Act of 2005	<p>Compliance and other requested data provided in GOEPA semi-annual report to meet LUST Trust fund grant reporting; use existing data to create a national website to meet requirements of Energy Policy Act; redundant with state procedures. (ME)</p> <p>Reconsider time-consuming, resource-intensive reporting requirements for USTs (report on items that fail inspection, release detection, overfill protection). (MD)</p> <p>Reconsider requirement to report level of compliance on all active LUSTs. Reconsider requirement to report on source of releases to groundwater, including how UST system failed. (DE)</p>	ME, MD, DE	<p>R1: statutory requirement</p> <p>R3: --This is a national GPRA reporting requirement. -- Active LUST reporting is a regulatory requirement. Reporting the release of groundwater and UST system failure is optional.</p>	<p>Comments appear to be related to the new requirements imposed by the Energy Policy Act of 2005 for States to 1) maintain, update and make available to the public a record of underground storage tanks regulated under Subtitle I (Public Record), and 2) to report on the compliance of Government Underground Storage Tanks (State Compliance Report).</p> <p>The Public Record is not a requirement to report to EPA; states must make the info available to the public.</p> <p>EPA drafted guidelines with the help of workgroups of which many states were members. Public comment was solicited and received on the draft Public Record guidelines, including comment from the individual states and the Association of State and Territorial Solid Waste Management Officials, and gave considerable deference to state comments in the development of the guidelines. Final guidelines were issued on January 22, 2007: http://www.epa.gov/swerust1/fedlaws/final_pr.htm</p> <p>Also in January 2007, Draft State Compliance Report On Government Underground Storage Tanks guidelines released for public comment on January 23, 2007. EPA is considering comments received and expects to issue its final report in Spring 2007. Please see "Action Initiated/Completed" section in the following link: http://www.epa.gov/OUST/fedlaws/Government%20Tank%20Report%20-%20Final%20Draft%20Guidelines%201-18-07.pdf</p>

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State UST Fund Soundness Data Form	Simplify form and reduce data required to only the most relevant	ME	R1: statutory requirement	EPA developed the State UST Fund Soundness Data Form with the help of state fund managers and was designed to minimize the burden on states. The form is particularly useful now to help implement State Fund withdrawal provisions in the Energy Policy Act. OUST will continue to review and refine the form and reduce burdens whenever possible. For more information see: http://www.epa.gov/OUST/directiv/od965014.htm
RCRA/ State Hazardous Waste Management Grant & State UST Trust Fund Grants	Eliminate all reports except for GPRA goals	KY	R4: Disagree: using only GPRA goals will limit full reporting.	Disagree. EPA's GPRA goals and associated reporting measures are necessary to meet our statutory goals of protecting human health and the environment. For example, the permitting goals are needed to ensure that controls are in place for proper management of hazardous waste. Prevention is preferable to mismanaged sites that lead to later cleanups at the sites.
Used Oil Program reporting	EPA should defer to the state	UT	R8: disagree, used oil compliance monitoring and enforcement activities are an important part of RCRA program under Subtitle C and all states must report these to EPA	Disagree. Information is needed to verify compliance.
Quality Assurance Project Plans (QAPP)	Allow umbrella QAPP for UST sites; develop QAPP template to promote consistency in review/approval. Because of differences between state/EPA regarding QAPP contents, AR recommends that EPA develop a QAPP template for each project.	SC, AR, OK	R4: <i>Agrees</i> w/SC; says QAPP is program implementation, not reporting burden R6: <i>Disagrees</i> with AR – all guidance and flexibilities required already are in place.	The national UST/LUST program issued LUST Trust Fund Cooperative Agreement Guidelines that provides guidance on the states' quality assurance programs. The regional offices award and manage the LUST Cooperative Agreements and establish the QA policies for their states. For more information about OSWER's LUST Trust Fund Cooperative Agreement Guidelines, please see: http://www.epa.gov/OUST/directiv/d965010a.htm